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Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 22 March 2018 from the Permanent Mission of Japan to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Japan to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and, in accordance with paragraph 17 of resolution 2397 (2017), has the honour to submit to the Committee the national report of the Government of Japan on the implementation of resolution 2397 (2017) (see annex).

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Annex to the note verbale dated 22 March 2018 from the Permanent Mission of Japan to the United Nations addressed to the Chair of the Committee

Report of Japan on the implementation of Security Council resolution 2397 (2017)

1. Basic position of Japan

A series of acts of provocation by the Democratic People's Republic of Korea, which included a nuclear test on 3 September 2017 and a series of launches of ballistic missiles, some of which flew over Japan, are a direct challenge to the international community. The nuclear and missile development of the Democratic People's Republic of Korea poses an unprecedented, grave and imminent threat to the security of the region, including Japan. The nuclear tests and the ballistic missile launches by the Democratic People's Republic of Korea constitute a flagrant and repeated violation of relevant Security Council resolutions and pose a grave challenge to the international disarmament and non-proliferation regime centred on the Treaty on the Non-Proliferation of Nuclear Weapons. Despite the ongoing inter-Korean dialogue, the Democratic People's Republic of Korea continues its nuclear and missile development.

The Government of Japan highly appreciates the unanimous adoption by the Security Council of resolution 2397 (2017), which aims to further strengthen sanctions measures against the Democratic People's Republic of Korea to an unprecedented level, in response to the launch of a ballistic missile (29 November 2017) and other related activities. The resolution is a manifestation of the will of the international community in the form of concrete action that a nuclear-armed North Korea will never be accepted and that pressure on the that country must be enhanced to the maximum degree to change its course of policies. Japan strongly urges that the Democratic People's Republic of Korea comply with resolution 2397 (2017) and other relevant Security Council resolutions and demonstrate its serious will and concrete actions towards the denuclearization of the Korean peninsula.

The Government of Japan has steadily undertaken measures to implement resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017), 2375 (2017) and 2397 (2017), and strongly urges the Democratic People's Republic of Korea to take concrete actions towards the resolution of outstanding issues of concern, such as abductions and nuclear and missile issues. The Government of Japan will continue to work closely with Member States on the full and rigorous implementation of relevant Security Council resolutions to ensure their effectiveness.

The Government of Japan also reaffirms that it will continue to work closely with the Security Council Committee established pursuant to resolution 1718 (2006) as well as the Panel of Experts established pursuant to resolution 1874 (2009).

2. Measures related to resolution 2397 (2017)

The measures taken by the Government of Japan to implement resolution 2397 (2017) are described below. They are implemented in conjunction with additional measures recently introduced by Japan, as set out in section 3 of the report. Existing measures against the Democratic People's Republic of Korea have been previously reported to the Security Council (see S/AC.49/2006/10, S/AC.49/2009/7, S/AC.49/2013/7, S/AC.49/2016/5, S/AC.49/2017/9, S/AC.49/2017/98 and S/AC.49/2017/131).

(a) Financial measures

(i) Paragraph 3

- The Government of Japan has introduced measures, based on the Foreign Exchange and Foreign Trade Act (Act No. 228 of 1949), to prevent transfers of any financial resources to and from the 16 individuals and one entity designated in annexes I and II to resolution 2397 (2017) (effective 28 December 2017).

(b) Measures concerning the movement of persons

(i) Paragraph 3

- Based on the Immigration Control and Refugee Recognition Act, the Government of Japan has introduced measures to prevent entry into Japan or transit through the Japanese territory of the 16 individuals designated in annex I to resolution 2397 (2017).

(ii) Paragraph 8

- As part of its additional measures against the Democratic People's Republic of Korea, the Government of Japan has, in principle, banned the entry of any nationals of that country into Japan, irrespective of the purpose of entry.

(c) Measures concerning the movement of goods

(i) Paragraphs 4, 5, 6 and 7

- The Government of Japan has banned any imports from the Democratic People's Republic of Korea since 14 October 2006 and any exports to that country since 18 June 2009, based on the Foreign Exchange and Foreign Trade Act. Those measures have prevented the supply, sale and transfer to or procurement from the Democratic People's Republic of Korea of any items, irrespective of their purpose or nature.

(d) Restrictions on maritime transport

(i) Paragraph 9

- Following the adoption of resolution 1874 (2009), the Government of Japan, in order to implement cargo inspections, enacted the Act on Special Measures concerning Cargo Inspections etc. Conducted by the Government Taking into Consideration of the United Nations Security Council Resolutions 1874 etc. (Act No. 43 of 2010). The Government of Japan will continue to strictly implement cargo inspections on the basis of national legislation, including the aforementioned Act and the Japan Coast Guard Act, to ensure that no item is transferred in violation of the relevant resolutions.
- The Government of Japan, if necessary, will take appropriate measures in accordance with applicable national legislation.

(ii) Paragraph 10

- The Government of Japan, if necessary, will take appropriate measures in accordance with applicable national legislation in such cases as required by resolution 2397 (2017).

(iii) Paragraph 11

- In March 2018, the Government of Japan formally requested the relevant Japanese entities to refrain from providing insurance or re-insurance services to vessels when there are reasonable grounds to believe that such vessels were involved in activities, or in the transport of items, prohibited by the relevant resolutions, including resolution 2397 (2017).

(iv) Paragraph 12

- In March 2018, the Government of Japan formally requested the relevant Japanese entities to deregister and refrain from providing classification services to vessels when there are reasonable grounds to believe that such vessels were involved in activities, or in the transport of items, prohibited by the relevant resolutions, including resolution 2397 (2017), and to refrain from registering vessels that have been deregistered by other Member States on the above-mentioned grounds.

(v) Paragraph 14

- The Government of Japan has banned any exports to the Democratic People's Republic of Korea since 18 June 2009 based on the Foreign Exchange and Foreign Trade Act. These measures have prevented the supply, sale and transfer to the Democratic People's Republic of Korea of any items irrespective of their purpose or nature.

(vi) Paragraph 15

- The Government of Japan, if necessary, will take appropriate measures in accordance with applicable national legislation in such cases as required by resolution 2397 (2017).

3. Recent additional measures taken by the Government of Japan against the Democratic People's Republic of Korea

The Government of Japan has taken additional measures against the Democratic People's Republic of Korea as set out in the previous reports to the Security Council (see S/AC.49/2009/7, S/AC.49/2013/7, S/AC.49/2016/5, S/AC.49/2017/9, S/AC.49/2017/98 and S/AC.49/2017/131). Following the recent violations of the relevant Security Council resolutions by the Democratic People's Republic of Korea, which constitute an unprecedented, grave and imminent threat to Japan and seriously undermine the peace and security of the international community, on 15 December 2017 the Government of Japan decided to increase the number of entities and individuals designated for asset-freezing measures as related to the nuclear and missile programmes and other relevant programmes of the Democratic People's Republic of Korea, as part of efforts by Japan towards the comprehensive resolution of outstanding issues of concern, such as abductions and nuclear and missile issues.